

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 621*

House Bill No. 1273

by deleting all language after the enacting clause and by substituting instead the following:

Section 1. Tennessee Code Annotated, Title 23, Chapter 3, Part 1, is amended
by adding the following new section:

(a) It is hereby declared to be the public policy of this state that a contract for professional employment with a client which is the result of impermissible solicitation which is in contravention of Tennessee Supreme Court Rule 8, Disciplinary Rule 2-104, or subsection (b) of this section is unenforceable and void as against public policy.

(b) No attorney licensed in this or any other state, nor any person acting on behalf of such attorney, may, by telephone, mail, facsimile transmission, computer on-line transmission, in-person, or by any other communication directed to the specific recipient, initiate contact with a person for the purpose of soliciting professional employment from such person within thirty (30) days of the date of the transaction or occurrence giving rise to the potential professional employment unless such attorney has a family or current or prior professional relationship with the person contacted.

(c) In addition to any other powers, the Tennessee Supreme Court Board of Professional Responsibility is hereby given the power to seek and obtain an injunction against any lawyer or person who contravenes Tennessee Supreme Court Rule 8, Disciplinary Rule 2-104 or who initiates contact to solicit in contravention of subsection (b) of this section.

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(d) The provisions of this section shall not apply to persons submitting applications to private business entities which are seeking to hire an attorney for full-time employment.

(e) A violation of this section is a Class C misdemeanor, punishable by fine only.

Section 2. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

Section 3. This act shall take effect July 1, 1996, the public welfare requiring it.